



# Digital Television: Sharpening the Focus on Children

## *Conference Report*

### ■ Hosted by Children Now

Co-sponsored by the  
American Academy of Pediatrics and  
American Psychological Association

### A Big Win for Children!

**New Rules Issued  
Three Months After  
Washington, D.C.  
Conference**

ON SEPTEMBER 9, 2004, exactly three months after *Digital Television: Sharpening the Focus on Children*, the Federal Communications Commission (FCC) issued new rules to improve children's television as the nation's broadcasters make the transition to digital television (DTV). By a unanimous vote, the five FCC commissioners established rules to help ensure that children have access to educational television programming and parents are able to identify educational shows. This rulemaking constitutes one of the most critical victories for children's media in recent years.

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### What is Digital Television?

Digital television (DTV) is a broadcasting technology where large amounts of data are transmitted through digital signals rather than analog, providing viewers with many additional viewing features, such as an enhanced picture, improved sound quality, interactivity, multicasting and datacasting.

For more information on DTV technology, please see our *Media Now* newsletter from Spring 2004, available at [www.childrennow.org](http://www.childrennow.org).

## The Public Policy Implications of DTV

WHILE DIGITAL TELEVISION technology is still in its early stages, it holds tremendous potential for innovative television practices benefiting American children and families. Yet it also has significant potential for harming children through invasive marketing practices and interactive advertising. On June 9, 2004, Children Now hosted *Digital Television: Sharpening the Focus on Children* at the National Press Club in Washington, D.C., to facilitate a spirited discussion about the public policy implications of digital television technology and interactive programming for children and families.

The event featured:

- Media industry leaders working on the cutting edge of new digital technology, creating exciting new programming for kids;
- Academics exploring the impact of interactivity on cognitive development;
- Advocates looking to shape the new world of digital television to serve the public interest;
- Broadcasting and advertising representatives explaining the business of broadcasting and making a case that the child audience can be served effectively without regulation.

## Policy Recommendations

CHILDREN NOW and the Children's Media Policy Coalition—a broad coalition of public health, education and child advocacy organizations—submitted extensive comments to the FCC outlining recommendations on how digital broadcasters should meet their public interest obligations to the nation's children. The comments included three primary recommendations about how to best serve and protect the child audience in the digital age:

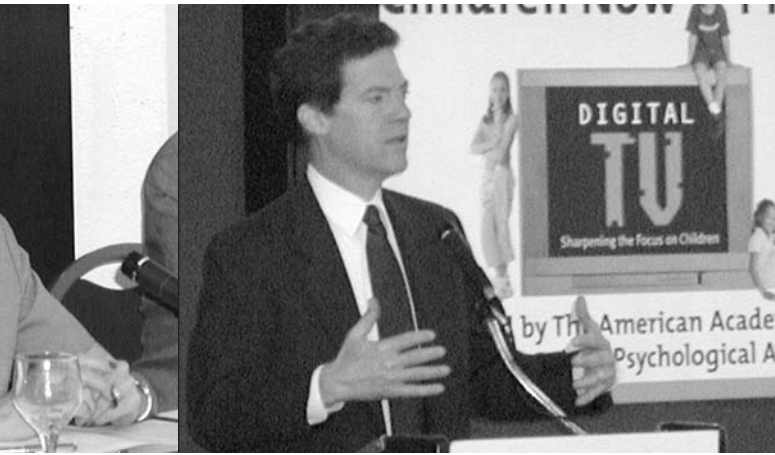
- Ensure commensurate levels of educational programming for children;
- Provide more information about ratings and educational programs to parents;
- Prohibit interactive advertising.

## Commissioners Declare Support for Policy Recommendations at Conference

AT THE CONFERENCE, the three FCC commissioners in attendance declared their support for Children Now's recommendations and for prioritizing the needs of children in any DTV rulemaking. They agreed that the FCC needed to follow through on new DTV rules as soon as possible. As Commissioner Jonathan Adelstein said during his speech, "You heard it here first; you've got three folks saying that it is a priority for us, and three is the magic number at the FCC."

***"We have few, if any, domestic priorities as urgent as deciding how the people's airwaves are going to be used to advance the people's well-being...and our kids need to be front and center in our consideration of all of these issues."***

—FCC Commissioner Michael Copps



*"I want to thank Children Now and the American Academy of Pediatrics and the American Psychological Association for bringing us together in this excellent forum. We need more like it. This has been a real visionary and important conference."*

—FCC Commissioner Jonathan Adelstein

## An Overview of the New Digital Television Rules

OVERALL, the FCC's new digital television rules are a tremendous benefit to the child audience and one of the biggest wins for children's media policy in years. The FCC adopted many of the recommendations developed by Children Now and the Children's Media Policy Coalition. Highlights from the new rules issued by the FCC include:

### ■ Providing Commensurate Educational Programming

Currently, broadcasters are required to air three hours of children's educational/informational (E/I) programming per week. Since broadcasters will have up to six times the programming capacity in digital as they do in analog, they will now have to air a commensurate amount of children's educational programming. For example, a broadcaster that multicasts six 24-hour digital streams will now be required to provide 18 hours of educational programming per week. Additionally, at least three hours per week of the E/I programming must be aired on the broadcaster's primary channel.

### ■ Helping Parents Find Educational Programming

The new FCC rules also require broadcasters to label educational/informational programming with a uniform "E/I" symbol that must be kept on the screen throughout the duration of a program. Currently, the symbols used by broadcasters are not uniform and are aired only at the very beginning of a program, making educational shows very difficult for parents to identify. In addition, the FCC rules also limit the preemption of educational programs to 10 percent. Under the Children's Television Act, broadcasters are required to air E/I programming at regularly-scheduled times. However, educational shows are often preempted (either not shown or rescheduled at a different time), usually in favor of sports programming. The new rules will help to guarantee that educational programming is identifiable and accessible.

### ■ Protecting Children from Interactive Advertising

While the FCC did not implement a ban on interactive advertising, they did tentatively conclude that there should be no commercial Internet links embedded in children's programs unless technology is available to let parents decide whether they want their children to have access to such links. The FCC commissioners also unanimously agreed that digital broadcasters will not be able to circumvent existing advertising rules through interactive technology.

*"I think the important message that we should all take back is that we can't stand still and assume that all these benefits will just magically roll out to our children."*

—FCC Commissioner Kathleen Abernathy

***"I want to give special thanks to the many children's advocates, most notably Children Now, who have fought so hard to advance the interests of children."***

—Statement of FCC Chairman Michael Powell on September 9, 2004, upon releasing the *Children's Television Obligations of Digital Television Broadcasters* ruling



## Next Steps: Prohibiting Interactive Advertising

WHILE THE FCC'S RULEMAKING helps to ensure broadcasters are meeting children's educational needs, it does not prohibit interactive advertising. Children Now is increasingly concerned about the ways in which emerging interactive technology will be used to advertise to children, especially given the growing childhood obesity epidemic. Interactive advertising on Web sites is already being used to market unhealthy foods to children, taking advantage of children's unique vulnerability to commercial persuasion. Marketing will be even more intrusive in a DTV world, as advertisers will be able to target individual children with personalized ads.

In the coming year, Children Now will work with broadcasters, advertisers, policymakers, parents and the public to institute responsible marketing practices that protect our nation's children.

## About Children Now and the Children's Media Policy Coalition

Children Now is a nonpartisan, independent voice for children, working to translate the nation's commitment to children and families into action. Children Now is leading a broad coalition of public health, education and child advocacy organizations to ensure that children's interests are prioritized as television goes digital. Additional coalition members include the American Academy of Pediatrics, American Psychological Association, American Academy of Child & Adolescent Psychiatry, National PTA, National Institute on Media and the Family, National Education Association, Benton Foundation, Action Coalition for Media Education, and United Church of Christ.

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## Conference Participants

*Keynote:* Senator Sam Brownback, R-Kansas

### ■ Panel 1

*Safe "D" Zone: Creating a Healthy DTV Environment for Children*

#### **Panelists:**

Ann West Bobeck, Assistant General Counsel,  
National Association of Broadcasters

Jeffrey Chester, Executive Director,  
Center for Digital Democracy

Thierry Fortune, Senior Vice President, MEE Productions, Inc.

Daniel Jaffe, Executive Vice President,  
Association of National Advertisers

Dale Kunkel, Ph.D., Professor of Communication,  
University of Arizona

**Moderator:** Ray Suarez, Senior Correspondent,  
*The NewsHour with Jim Lehrer*

### ■ Panel 2

*The Three Es of DTV: Educating, Engaging and Entertaining*

#### **Panelists:**

Sandra Calvert, Ph.D., Professor of Psychology,  
Georgetown University

James Goodman, Jr., Director of Programming,  
WRAL-TV/DT, Raleigh, NC

Gary Knell, President and Chief Executive Officer,  
Sesame Workshop

Linda Simensky, Senior Director of Programming, PBS Kids

Gloria Tristani, Managing Director, Office of Communications,  
United Church of Christ; former FCC Commissioner

**Moderator:** Joie Chen, Correspondent, CBS News

### ■ Panel 3

*Policymaker Session*

#### **Panelists:**

FCC Commissioner Kathleen Abernathy

FCC Commissioner Jonathan Adelstein

FCC Commissioner Michael Copps

**Moderator:** Patti Miller, Director,  
Children & the Media Program, Children Now

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## Conference Highlights

# Digital Television: Sharpening the Focus on Children

### Keynote—Senator Sam Brownback, R-Kansas

SENATOR SAM BROWNBACK opened the convening by emphasizing the need for digital television policies that serve children and families. He expressed his support for a requirement that obligates digital broadcasters to provide program ratings throughout the entire broadcast of a show rather than for just the first 15 seconds. Acknowledging that the abundance of violence, sex and adult language on television can have harmful effects on children, Senator Brownback argued that television ratings can help parents make informed choices for their children, saying, “We need to be able to provide consumers—parents in particular—with more tools.... The digital age, in my estimation, provides us an enormous opportunity to provide true consumer choice and consumer selection to parents.”

### Panel 1 *Safe “D” Zone: Creating a Healthy DTV Environment for Children*

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Thierry Fortune, Senior Vice President,  
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Daniel Jaffe, Executive Vice President, Government  
Relations, Association of National Advertisers

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**Moderator:** Ray Suarez, Senior Correspondent,  
*The NewsHour with Jim Lehrer*

### Overview

The first panel discussion explored the interactive capabilities of DTV and the unique effects that interactive advertisements can have on children. Participants discussed how marketers can collect personal information from young viewers and how advertising practices affect the business of television.

### Personalized Advertising

Dale Kunkel began the discussion by explaining that DTV’s interactivity and potential to tailor television advertising to individual children presents “the highest stakes we’ve seen yet in the children and media arena.” He called for immediate action from advocates and policymakers to

protect children before the industry implements widespread use of interactivity. Jeffrey Chester agreed, citing concerns about obesity as a reason for immediate “safeguards” on interactive advertising. Daniel Jaffe countered that “advertising provides the financial foundation for free TV.” He suggested that targeted advertising promotes “economic efficiency” because the costs of non-targeted, inefficient advertising are passed on to consumers. Furthermore, he argued that “there’s nothing wrong with children seeing advertising; they have to live in the real world.” Kunkel pointed out that “young children have very limited capabilities at discriminating between commercial and non-commercial content” and are not able to make mature consumer decisions.

### Parent Information and Ratings

Thierry Fortune emphasized the incredible impact that media have on children’s and adolescents’ “skills, values and behavior,” suggesting that interactive television provides an opportunity for broadcasters to better serve parents by giving them “more control in terms of understanding what their kids are watching.” Kunkel argued that “on-demand” ratings across broadcast and cable television would best serve parents, so they could find out about the content of a show if they started watching in the middle of a program. Ann West Bobeck said that “empowering parents...has always been the goal of a broadcaster,” and Jaffe emphasized his association’s support for ratings systems.

## **Panel 2** *The Three Es of DTV: Educating, Engaging and Entertaining*

### **Panelists:**

Sandra Calvert, Ph.D., Professor of Psychology, Georgetown University

James Goodmon, Jr., Director of Programming, WRAL-TV/DT, Raleigh, NC

Gary Knell, President and Chief Executive Officer, Sesame Workshop

Linda Simensky, Senior Director of Programming, PBS Kids

Gloria Tristani, Managing Director, Office of Communications, United Church of Christ; former FCC Commissioner

**Moderator:** Joie Chen, Correspondent, CBS News

### **Overview**

The second panel featured experts from academia, advocacy and the media industry who discussed ways to ensure that children benefit from the technological advances of digital television.

### **Children's Development**

Sandra Calvert cited studies which showed that educational programs, such as *Sesame Street*, can have a positive impact on children's ability to learn. Calvert discussed her research on measuring and identifying specific aspects of interactivity that help children learn. Gloria Tristani called on the FCC to ensure "the unique benefits of digital" contribute to children's healthy development.

### **The Potential Benefits of DTV Technology**

Panelists shared examples of their efforts to incorporate digital technology into children's programming. James Goodmon noted that WRAL-TV in Raleigh, North Carolina, was the first television station to broadcast a digital signal. Since that time, they have explored how to digitally enhance their locally-produced shows for children. Goodmon noted, "Our CEO and president believes in... the fact that, as broadcasters, we owe the public something, we owe our community something." Sesame Workshop also is currently developing interactive television programs for toddlers based on cognitive research. Gary Knell showcased Sesame Workshop's current efforts with a demonstration of an interactive *Elmo's World* in which young viewers can help Elmo brush his teeth and play interactive educational games on their television screens. Knell noted, "We believe that we're just beginning to really peel off the layers of the onion [and] figure out how these new technologies are going to work to the benefit of our children."

## **Panel 3** *Policymaker Session*

### **Panelists:**

FCC Commissioner Kathleen Abernathy

FCC Commissioner Jonathan Adelstein

FCC Commissioner Michael Copps

**Moderator:** Patti Miller, Director, Children & the Media Program, Children Now

### **Overview**

The final panel featured three of the five FCC commissioners. The commissioners agreed that broadcasters must fulfill public interest obligations to children in a digital world and suggested that there would soon be proposed FCC regulations. They promised to make new rules a priority.

### **Identifying a Need for Regulation to Educate and Protect Children**

Commissioner Kathleen Abernathy began by "wholeheartedly embracing" the goals that Children Now and the Children's Media Policy Coalition outlined for the transition to digital television. She asserted that while free markets were effective in bringing down prices for consumers, they could not be relied on to realize social goals, such as providing quality programming for children in a digital age. In terms of marketing, she expressed support for regulations on advertising to children, particularly in light of new digital capabilities: "I know, absolutely, I do not want toys being sold with the click of a button on a show that my 8-year-old is watching."

Commissioner Michael Copps discussed children and digital television in the context of the FCC's commitment to upholding the public interest obligations of broadcasters. He described the connections between media consolidation and the failure of the FCC to prioritize the public interest obligations of broadcasters. Citing Children Now's 2003 study on media ownership, *Big Media, Little Kids*, Copps described the correlation between media ownership consolidation in the Los Angeles market and a 50 percent drop in children's programming. He called for immediate action on the children's digital television proceeding.

Commissioner Jonathan Adelstein identified the FCC's responsibility to children and parents as one of creating safe, healthy spaces for children in digital television. As broadcasters develop new capabilities, particularly interactivity, Adelstein called for them to take advantage of their new technology to better serve children, saying, "I firmly believe that new horizons in broadcasting should correspond to new horizons in serving the public interest." He also called for protecting children from advertisers, who would be driven by the market to target children in interactive ways without appropriate regulations.